



AMENDMENT NO. _____ Calendar No. _____

Purpose: To protect American taxpayers from Department of Defense contractors needlessly running-up legal bills that have to be paid by the United States Government.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. 2943

To au	AMENDMENT N^o 4510	tary
a	By <u>Wyden</u>	tary
e	To: _____	part-
n	<u>S. 2943</u>	nnel
s	<u>2</u>	oses.
Refe	Page(s)	and
	GPO: 2010 63-070 (mac)	

AMENDMENT intended to be proposed by Mr. WYDEN

Viz:

1 At the end of subtitle II of title VIII, add the fol-
2 lowing:

3 **SEC. 399C. MANAGEMENT OF CERTAIN LITIGATION ON BE-**
4 **HALF OF INDEMNIFIED PRIVATE CONTRAC-**
5 **TORS.**

6 (a) IN GENERAL.—In cases where litigation between
7 an indemnified Department of Defense contractor and a
8 member of the Armed Forces exceeds a period of two years
9 without final judgement or settlement, and where the De-
10 partment has a contractual right to take charge of the

1 litigation on behalf of the contractor, the Department shall
2 exercise that right. In doing so, the Department shall en-
3 sure the fiscal burden on taxpayers is minimized by avoid-
4 ing lengthy and expensive litigation, while simultaneously
5 resolving the claim in a way that meets the Department's
6 obligations to members of the Armed Forces and their
7 families in a fair and timely manner.

8 (b) INDEMNIFIED DEPARTMENT OF DEFENSE CON-
9 TRACTOR DEFINED.—In this section, the term “indem-
10 nified Department of Defense contractor” means a con-
11 tractor that has been indemnified by the Department of
12 Defense against civil judgments or liability for injuries,
13 sickness, or death of members of the Armed Forces related
14 to their work with the contractor.